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March 25, 2002

William F. Caton,
Acting Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte* Presentation in ET Docket 98-42



BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Mr. Caton:

On Friday, March 22, 2002, Mr. Kent Kipling, of Fusion Lighting, Inc. and I met with Sam Feder, Senior Legal Advisor to Commissioner Martin. The purpose of the meeting was to discuss Fusion's position with respect to out-of-band emissions proposals by Sirius Satellite Radio and XM Radio in the above-referenced proceeding. At the meeting, Mr. Kipling distributed the attached handout describing the history of Fusion Lighting, the various out-of-band emission's proposals, tests of DARS receivers performed by Fusion, and Fusion's request for a safe harbor.

Please contact me if you have any questions.

Very truly yours,

Robert J. Ungar
Counsel to Fusion Lighting, Inc.

Enclosure

RJU/tmh

cc: Carl R. Frank
Bruce D. Jacobs

Fusion Lighting's Sulfur Lamp

- Highly efficient
- Highly acclaimed
 - 1995 R@D 100 award
 - 1995 Popular Science - Best of what's new
 - 1998 Light Fair - Innovation award
 - 2001 Smithsonian - Lighting exhibit
- Broadly supported
 - Private \$40M+, DOE \$6M+, NASA, EPA

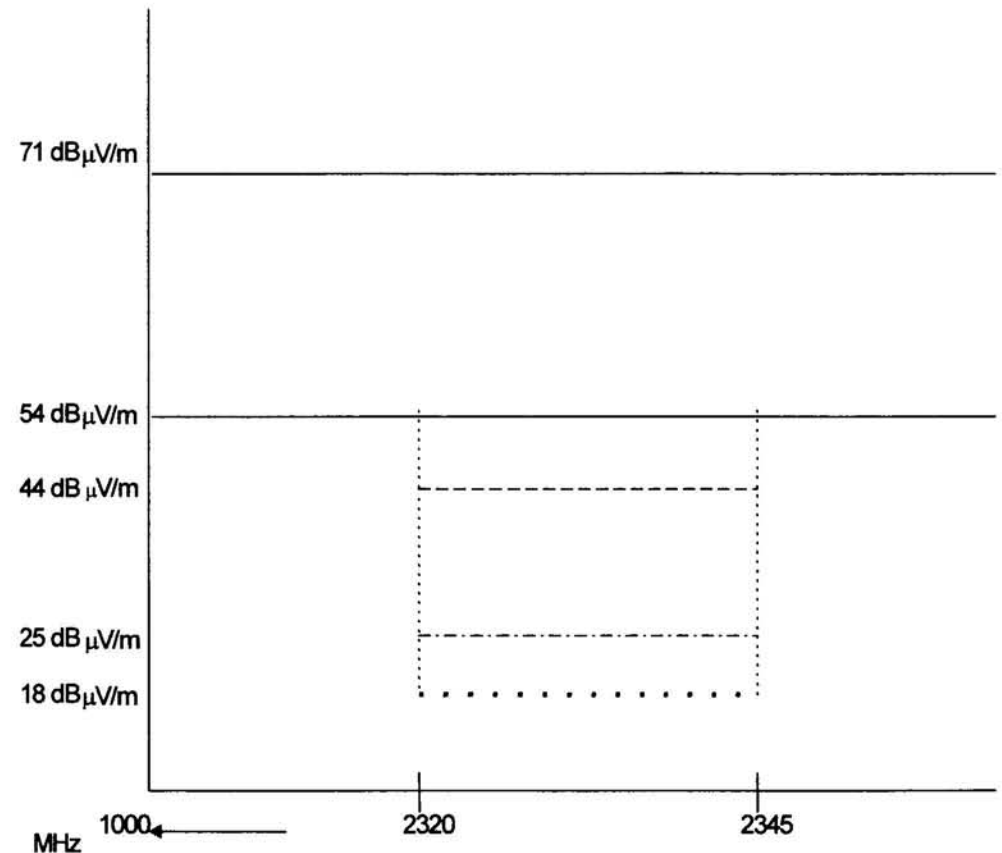


History

- Fusion directed to the 2.45 GHz ISM band by the FCC in the 1970s
 - Basis of UV curing business
 - Basis of semiconductor equipment business
- Sulfur lamp FCC tested and approved 1996
- Initial lamp sales 1996

Proposed out-of-band limits

- Current limit 71dB μ V/M @ 3M Avg.
- FCC proposal 54dB μ V/M @ 3M Avg.
 - 85% reduction from current limit
- Fusion proposal 44dB μ V/M @ 3M Avg.
 - 95% reduction from current limit
 - Safe Harbor
- DARS demand 25dB μ V/M @ 3M
 - 99.9% reduction from current limit
- Sirius petition 18.7dB μ V/M @ 3M



March 2002

FCC Meeting



Fusion Lighting Testing of DARS Receivers

- XM Satellite Radio
 - No interference from Fusion lamp at 3 meters
 - (Lamp emission 51 dB μ V/M @3 meters)
- Sirius Satellite Radio
 - No interference from Fusion lamp at 5 meters
 - (Lamp emission 51 dB μ V/M @3 meters)

Tentative Fusion Proposal

- In-band limits compatible with practical magnetron driven lamps
- “Safe Harbor” guarantee for out-of-band emissions